

MINUTES

**MAY 18, 1987
CITY COUNCIL MEETING**

**WEST HOLLYWOOD PARK
647 N. SAN VICENTE BLVD.
7:00 P.M.**

CALL TO ORDER: Mayor Schulte called the meeting to order at 7:14 P.M.

PLEDGE OF ALLEGIANCE: Mayor Schulte led the Pledge of Allegiance.

ROLL CALL: Present: Albert, Heilman, Land, Viterbi, Mayor Schulte

Absent: None

Also Present: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Item 2e pulled for change of language, 2f and 2l pulled for discussion; Citizen Comments on Tiny Tots to be taken before Item 3; Item 6, Recycling, to be done after Item 3.

PROCLAMATIONS AND COMMENDATIONS:

1. Proclamation on CARE
2. The play, BENT, and Catalina Productions
3. Leon Kann Memorial Day

Councilmember Heilman announced that the City is hosting the North American Volleyball Tournamant.

1. CITY MANAGER'S REPORT: The City Manager reported on a 3 day training program for command people in the Sheriff's Department.

2. CONSENT CALENDAR: The following routine items were acted on by one motion with the majority consent of the City Council: **ACTION:** To approve the following items: 2a, b, c, d, g, h, i, j, k, m, n, o, p, q
Motion Heilman second Albert. Hearing no objection it was so ordered.

a. Posting of Agenda - Report by City Clerk: The agenda for the meeting of May 18, 1987 was posted at City Hall, Plummer Park, the Sheriff's Station and the Library on San Vicente on Tuesday, May 12, 1987.

ACTION: To receive and file.

Approved as part of the consent calendar.

b. Demand Register No. 61 - Resolution No. 319:

ACTION: To approve Demand Register No. 61 and adopt Resolution No. 319.

Approved as part of the consent calendar.

c. Treasurer's Report: March, 1987 -

ACTION: To receive and file. Approved as part of the consent calendar

d. Minutes: April 3, 1987
April 6, 1987
May 4, 1987

ACTION: To approve the minutes of April 3, April 6,
and May 4, 1987.

Approved as part of the consent calendar.

e. National Flood Insurance Program: Presently the City is not a member of the National Flood Insurance Program and flood insurance is not available to properties in West Hollywood.

THIS ITEM WAS PULLED FROM CONSENT CALENDAR FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

ACTION: To adopt Resolution No. 320, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO APPLY FOR MEMBERSHIP IN THE NATIONAL FLOOD INSURANCE PROGRAM", as amended by the addition of a clause as proposed by the Public Works Director, and direct staff to make formal application for membership.

Motion Albert, second Land. **AYES:** Albert, Heilman, Land, Viterbi, Mayor Schulte.

NOES: None

Motion carried.

f. Award of contract - Cable TV room - CIP #815: Proposals for the subject contract were opened on the 16th of April. This contract provides for lighting, soundproofing, and power to convert a portion of the Community Building at West Hollywood into a film studio facility. THIS ITEM WAS PULLED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

ACTION: To award the contract, with deletion of items A through G, to C & D Builders for the amount of \$53,502 and to appropriate additional funds in the amount of \$35,000 for this project for FY 1987-88. Motion Albert second Land. **AYES:** Albert, Heilman, Land, Viterbi, Schulte. **NOES:** None. Motion carried.

g. Notice of completion - Traffic signal - Cynthia Street at San Vicente Boulevard (CIP #807): This traffic signal was complete and in operation on April 7, 1987.

ACTION: To accept the improvements provided by this contract and direct staff to file the appropriate Notice of Completion.

Approved as part of the consent calendar.

h. Tract Map 42284 - 1016 Hancock Avenue - Road and Sidewalk Improvements: **ACTION:** To approve and accept for maintenance the road improvements associated with Tract Map 42284.

Approved as part of the consent calendar.

i. Liability Insurance Policy for the City of West Hollywood: The City has been a self-insured entity since December, 1985. In order to protect the City's assets from possible future catastrophic losses, staff has obtained a general liability insurance bid.

ACTION: To authorize the Mayor to sign the contract with Planet Insurance for General Liability and contract at a self-insured retention of \$100,000 for the first \$1,000,000 at a premium of \$87,172 and excess of \$2,000,000 at a premium of \$40,091.

Approved as part of the consent calendar.

j. Human Services Commission - Resignation - Dr. Michael Cowan:

ACTION: To accept the resignation with regret and have the City Clerk publish notice and receive applications for the vacancy.
Approved as part of the consent calendar.

k. Planning Commission - Resignation - William Fulton:

ACTION: To accept the resignation with regret and have the City Clerk publish notice and receive applications for the vacancy.
Approved as part of the consent calendar.

1. Clarification of General Plan Extension of Time: THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

On May 4, 1987, the City Council approved the application for a one year extension of time to complete the General Plan, during which the most restrictive zoning designation would be in effect. Staff is requesting clarification of two aspects of this policy. 1) It is staff's understanding that it was the Council's intention to have the most restrictive land use designation apply to projects which are filed after May 4, 1987. Any application received by the Planning Division prior to May 4, 1987 would still allow the Planning Commission the discretion to judge the project's merits using the GPAC report, Envicom's recommendations and the Interim Zoning Ordinance. 2) The point in time when staff would begin using the Planning Commission's General Plan designation appears to be in question. Staff believes it would be the most productive to allow the Planning Commission the discretion of using their own recommendations once the land use element has completed public hearings through that body and the Commission has adopted a draft land use element.

At this point in time the following persons came forward to address the Council:

Ron Shipton, 8718 Rosewood; spoke in opposition.
Budd Kopps, 969 N. Larrabee; spoke in support
Charlie Mercer, 8282 Sunset Blvd.; spoke in support
David Green, 1037 Crescent Heights; spoke in support
Tony Melia, 1022 Carol Drive; spoke in support
David Blevis, 456 N. McCadden, L.A., 90004; spoke in support
Igal Treibatch, 750 N. Croft Avenue; spoke in support
Nancy Taylor, 1047 N. Crescent Heights; spoke for most restrictive.
Mimi Brien, 9000 Cynthia; spoke for most restrictive
Ralph Feeley,, 812 Westbourne; spoke for most restrictive
Arlen Andelson, 825 N. San Vicente; spoke in support.

ACTION: To approve staff recommendation that all projects filed after May 4, 1987 would have the most restrictive land use designation apply, and to allow the Planning Commission to use its own discretion with regard to projects filed before May 4, 1987; however, the Planning Commission must be required to issue a statement of its findings or reasons for its decision.

Motion Land second Viterbi.

AYES: Land, Viterbi, Mayor Schulte.

NOES: Albert, Heilman

Motion carried.

m. Handicapped Parking Zone - 8646 Sunset Boulevard: This request is to provide handicapped access to the Sunset Plaza area, as the parking lot behind the businesses is accessed only by a steep ramp.

ACTION: To adopt Resolution No. 299, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING AN ON-STREET HANDICAPPED PARKING SPACE."

Adopted as part of the consent calendar.

n. Endorsement of AB 477, SB 59, SB 124, AB 79 and AB 122:

These pieces of legislation are aimed at protecting consumers from imported agricultural products tainted with pesticides or other contaminants. **ACTION:** To support the passage of said pending legislation and direct staff to send the appropriate letters.

Adopted as part of the consent calendar.

o. Regular Adjourned Council Meeting - 1987-88 Social Services

Programs: **ACTION:** To hold an adjourned meeting on June 8, 1987, to consider the city's Social Services Programs.

Adopted as part of the consent calendar.

p. Bus Shelter Program: At the May 15, 1986 City Council

meeting, Council approved a pilot program to install bus shelters in West Hollywood, and on August 21, 1986, Council approved the operating agreement with Shelter Media, Inc. to provide this service.

ACTION: That City Council approve the installation of the six bus shelters at the proposed locations.

Approved as part of the consent calendar.

q. Santa Monica Boulevard - Median Ground Water Injection:

The owners of the Santa Palm Car Wash are proposing a water injection system in this median to assist in ground water cleanup.

ACTION: To approve the agreement for construction and operation.

Approved as part of the consent calendar.

PUBLIC HEARINGS:

3. APPEAL - YOAV SHAPIRA - 14 UNIT BUILDING AT 800 WESTBOURNE DRIVE:

On March 17th the Planning Commission denied Development Permit 86-100 and Demolition Permit 86-101 - a request to demolish four existing rental units at 806 Westbourne Drive/8615 Sherwood Drive, and to construct a 14 unit apartment building. Yoav Shapira has appealed that decision.

Howard Zelefsky gave the staff report and the following persons came forward to speak:

Craig Mordoh, 301 Ocean Avenue, Ste. 23; spoke representing the applicant.

John Stout, 727 Westbourne Dr., #214; spoke in opposition.

Martha Melinda, 824 Westmount Dr.; spoke in opposition.

Vincent Neglia, 623 Westbourne Dr., #6; spoke in opposition.

Bruce Traub, 828 Huntley Dr.; spoke in opposition.

Ann Crowell, 812 N. Westbourne; spoke in opposition.

Jennifer Cashoty, 619 West Knoll; spoke in opposition.

Dianne Brocco, 735 Westmount; spoke in opposition.

ACTION: To deny appeal and direct staff to return with a Resolution of Denial.

Motion Land second Heilman.

AYES: Albert, Heilman, Land, Viterbi, Schulte

NOES: None.

CITIZEN COMMENTS ON TINY TOTS: ADDED ON APPROVAL OF AGENDA: The following persons came forward to address the Council.

Pam Cellucci, 5804 W. 77th Place; Chairman of the Tiny Tot program, spoke in opposition to the Human Services Department taking over the program.

Ruth Sheridan, 1351 N. Crescent Heights; spoke about the special needs of people with small children and in opposition to changes in the program.

Council requested that the parents and staff continue to meet and discuss the situation and return to the Council with a full report on June 8th.

CITIZEN COMMENTS: This time has been set aside for citizens to address the Council on any issue with the exception of Public Hearings:

Ron Shipton, 8718 Rosewood, spoke about the pre-redevelopment feasibility study and acquisition of a site for parking structures.

Budd Kops, 969 N. Larrabee spoke about training some of the homeless for the Handyworker Program.

Nancy Taylor, 1047 N. Crescent Heights, told the Council about a magazine article on a council meeting that contained her address. She would like the City to require publications to identify responsible parties.

Jeanne Dobrin, 9000 Cynthia, spoke about the West Hollywood requirement to give addresses.

UNFINISHED BUSINESS

4. RENT STABILIZATION APPOINTMENT - HELEN ALBERT: ACTION: To appoint Babette Lang. Motion Albert second Land. Hearing no objection it was so ordered.

5. TASK FORCE ON WOMEN'S ISSUES - APPOINTMENTS: RECOMMENDED ACTION: The Council to appoint 7 members - 1 each individually and 2 at large. Appointments:
Land: Ellen Faun - Motion Land second Albert.
Viterbi: Abby Leibman - Motion Viterbi second Albert
Albert: Dorothy Huebel - Motion Albert second Land
John Heilman and Mayor Schulte will wait one or two weeks to appoint. Hearing no objections to the above motions it was so ordered. The City Council decided to delay the at-large appointments until after Councilmember Heilman and Mayor Schulte make their appointments.

NEW BUSINESS

6. RECYCLING: THIS ITEM WAS DISCUSSED AFTER ITEM 3 BUT IS LISTED HERE FOR CLARITY. The staff report was given by Ted Kitos and Rebecca Logue. The following persons came forward to speak in favor of the recycling program:

Nancy Taylor, 1047 SN. Crescent Heights Blvd.
Joe Thompson, 1212 Sweetzer.
Fritzi Bernstein, Sierra Club, 14710 Sutton Street, Sherman Oaks.
Irene Oppenheim, 8535 West Knoll Dr.
Janet Bridgers, 9016 Harratt
Patrick Wall, 9016 Harratt
Budd Kops, 969 N. Larrabee
Joyce Hundal, 9002 Rangely Ave.
Jeanne Dobrin, 9000 Cynthia
Kenny Fields, 663-A Marine Street

ACTION: To set aside funds not to exceed \$35,000 for a recycling program and that the Department of Public Works return to Council within 60 days with a Request for Proposal for a recycling contract, and while looking into contracting with one centralized refuse collector, one criteria be the company's ability to provide a curbside program as part of their service; in addition, that Public Facilities Board be included in the process.

Motion Land second Heilman.

AYES: Albert, Heilman, Land, Viterbi, Schulte

NOES: None

Motion carried.

7. JOB TRAINING PROGRAMS FOR ELIGIBLE WEST HOLLYWOOD RESIDENTS:

Councilmember Heilman reported that the County of Los Angeles has a Job Training Partnership Act (JTPA), Title II-A which sponsors job training and placement programs in the County. The United Chinese Restaurant Association (UCRA), funded by this act, provides free job placement to residents of the County and is available to residents of West Hollywood. **ACTION:** To welcome the UCRA program to West Hollywood and instruct staff to work with them to ensure that eligible West Hollywood residents have the opportunity to participate.

Motion Heilman, second Land.

AYES: Albert, Heilman, Land, Viterbi, Schulte

NOES: None

Motion carried.

LEGISLATIVE

8. ORDINANCE REQUIRING PLACEMENT OF WARNING SIGNS RELATING TO CONSUMPTION OF ALCOHOL DURING PREGNANCY - ORDINANCE NO. 148: **ACTION:** To waive further reading and adopt on second reading, Ordinance No. 148, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REQUIRING WARNING SIGNS RELATING TO THE CONSUMPTION OF ALCOHOL DURING PREGNANCY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

Motion Land second Viterbi.

AYES: Albert, Heilman, Land, Viterbi, Schulte

NOES: None

Motion carried.

9. RESIDENTIAL DESIGN STANDARDS TEXT AMENDMENTS - ORDINANCE NO. 147:

ACTION: To waive further reading and adopt on second reading, Ordinance No. 147, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING ORDINANCE TO PERMIT CONSTRUCTION WITHIN REQUIRED FRONT AND REAR YARDS IN RHD ZONES; TO PERMIT SEMI-SUBTERRANEAN PARKING GARAGES TO BE BUILT TO THE SIDE PROPERTY LINES ON RHD LOTS FIFTY FEET OR LESS IN WIDTH; AND TO PERMIT (IN CERTAIN SITUATIONS) ONE HALF OF THE AREA OF SIDE YARDS TO BE COUNTED AGAINST A PROJECT'S COMMON OPEN SPACE REQUIREMENT AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

Motion Land second Albert.

AYES: Albert, Heilman, Land, Viterbi, Schulte

NOES: None

Motion carried.

10. PAYMENT OF OVERDUE RENTS FROM ESCROW ACCOUNTS - ORDINANCE NO.

140: Jeanne Dobrin, 9000 Cynthia spoke to this issue.

ACTION: To waive further reading and adopt on second reading, Ordinance No. 140, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

Motion Viterbi second Schulte AYES: Viterbi, Schulte

NOES: Albert, Heilman, Land

Motion fails. (Not adopted)

11. PARKING DISTRICT NO. 2 - AMENDING REGULATIONS - ORDINANCE NO.

146: **ACTION:** To waive further reading and introduce on first reading, Ordinance No. 146, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE REGULATIONS FOR PREFERENTIAL PARKING DISTRICT NO. 2 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

Motion Land second Albert.

AYES: Albert, Heilman, Land, Viterbi, Schulte

Motion carried.

CLOSED SESSION: The City Council adjourned to a closed session at 9:40 p.m. to discuss matters pertaining to potential litigation, litigation, and/or personnel.

ADJOURNMENT: Adjourned at 10:30 P.M. in memory of Leon Kann, to Tuesday, May 26, 8:00 p.m. in Council Chambers, 8615 Santa Monica Boulevard.